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HOUSE BILL 3  
**46th LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003**

INTRODUCED BY

Rick Miera

AN ACT

RELATING TO EDUCATION; MAKING APPROPRIATIONS; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SHORT TITLE.--This act may be cited as the "Education Appropriation Act".

Section 2. DEFINITIONS.--As used in the Education Appropriation Act:

A. "federal funds" means any payments by the United States government to state government or state agencies for specific purposes or in lieu of taxes, including grants, reimbursements and payments made in accordance with contracts or cooperative agreements, and shared revenue except those payments made in accordance with the federal Mineral Lands Leasing Act (30 USCA 181, et seq.) and the State and Local Fiscal Assistance Act of 1972 (31 USCA 1221-1264), as amended;

B. "general fund" means that fund created by Section 6-4-2 NMSA 1978 and includes federal Mineral Lands Leasing Act receipts; and

C. "other state funds" means:

(1) unencumbered nonreverting balances in state agency accounts, other than in

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter- Agency Trnsf	Federal Funds	Total
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1 internal service funds accounts, appropriated by the Education Appropriation Act;

2 (2) all revenue available to state agencies from sources other than the general  
3 fund, internal service funds, interagency transfers and federal funds; and

4 (3) all revenue, the use of which is restricted by statute or agreement.

5 Section 3. FORMAT.--The general format of the appropriations set forth in the Education  
6 Appropriation Act with respect to symbols used, column headings and amounts stated are those used  
7 in the General Appropriation Act of 2003.

8 Section 4. APPROPRIATIONS.--The appropriation for public school support in fiscal year 2004  
9 shall be:

10 PUBLIC SCHOOL SUPPORT:

11 (1) State equalization guarantee: 1,714,071.3 2,000.0 1,716,071.3

12 (2) Transportation distributions:

13 (a) Operations 80,814.8 80,814.8

14 (b) School-owned bus  
15 replacements 3,700.0 3,700.0

16 (c) Contractor-owned bus  
17 rent fees 10,800.0 10,800.0

18 Subtotal 95,314.8 95,314.8

19 (3) Supplemental distributions:

20 (a) Out-of-state tuition 495.0 495.0

21 (b) Emergency 2,600.0 2,600.0

22 Subtotal 3,095.0 3,095.0

23 The rate of distribution of the state equalization guarantee distribution shall be based on  
24 a program unit value determined by the superintendent of public instruction. The superintendent  
25 of public instruction shall establish a preliminary unit value to establish budgets for the

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
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2003-2004 school year; and then upon verification of the number of units statewide for fiscal year 2004 but no later than January 31, the superintendent of public instruction may adjust the program unit value.

The appropriation for the state equalization guarantee distribution contains sufficient funds to provide a two and one-half percent salary increase for teachers and a two percent salary increase for other instructional staff, other certified staff and noncertified staff, including transportation employees.

The general fund appropriation in the state equalization guarantee distribution reflects the deduction of federal revenues pursuant to Paragraph (2) of Subsection C of Section 22-8-25 NMSA 1978 that includes payments commonly known as "impact aid funds" pursuant to 20 USCA 7701 et seq., formerly known as "P.L. 874 funds".

The general fund appropriation to the public school fund shall be reduced by the amounts transferred to the public school fund from the current school fund and from the federal Mineral Lands Leasing Act (30 USCA 181, et seq.) receipts otherwise unappropriated.

Any unexpended or unencumbered balance in the distributions authorized remaining at the end of fiscal year 2004 from appropriations made from the general fund shall revert to the general fund.

INSTRUCTIONAL MATERIAL FUND:	32,700.0	32,700.0
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The appropriation to the instructional material fund is made from the federal Mineral Lands Leasing Act (30 USCA 181, et seq.) receipts.

EDUCATIONAL TECHNOLOGY FUND:	4,990.0	4,990.0
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INCENTIVES FOR SCHOOL IMPROVEMENT

FUND:	1,900.0	1,900.0
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SCHOOL REFORM INITIATIVES/

TEACHER QUALITY	5,500.0	5,500.0
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	Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1	FEDERAL FLOW THROUGH:				281,925.3	281,925.3
2	TOTAL PUBLIC SCHOOL SUPPORT:	1,857,571.1	2,000.0		281,925.3	2,141,496.4
3	ADULT BASIC EDUCATION FUND:	4,790.5				4,790.5
4	STATE DEPARTMENT OF PUBLIC EDUCATION:					
5	(1) Administration:					
6	(a) Personal services					
7	and employee benefits	8,235.9	193.4	104.9	4,355.6	12,889.8
8	(b) Contractual services	308.0	55.0	200.0	6,347.8	6,910.8
9	(c) Other	419.3	348.2	91.6	1,456.5	2,315.6
10	(d) Other financing uses	84.0		2,111.0	176.2	2,371.2
11	Authorized FTE: 177.2 Permanent; 80.0 Term					
12	(2) Apprenticeship assistance:	648.7				648.7
13	STATE DEPARTMENT OF PUBLIC EDUCATION SPECIAL APPROPRIATIONS:					
14	(a) Beginning teacher					
15	induction and mentorship	998.0				998.0
16	(b) Re: Learning	499.0				499.0
17	(c) Performance-based budgeting					
18	support for districts	1,000.0				1,000.0
19	REGIONAL EDUCATION COOPERATIVES:					
20	(1) Central 5		1,703.0		2,006.0	3,709.0
21	(2) High Plains 3		1,465.2		1,767.7	3,232.9
22	(3) Region 9		3,850.0		1,750.0	5,600.0
23	(4) Northwest 2		850.0		1,247.8	1,332.8
24	(5) Northeast 4		0.0		2,098.0	2,098.0
25	(6) Region 6		25.8		1,298.7	1,324.5

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Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
(7) Lea #7		87.0		2,197.7	2,284.7
(8) Pecos Valley 8		1,550.7		1,476.8	3,027.5
(9) Southwest 10		245.0		2,740.2	2,985.2

Section 5. SEVERABILITY.--If any part or application of this act is held invalid, the remainder or its application to other situations or persons shall not be affected.

Section 6. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

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